

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

X-----X

GILEAD SCIENCES, INC.,

Plaintiff,

Case No. 08-CV-0566(DLC)(GWG)

-against-

**DEFENDANT'S RESPONSE TO  
PLAINTIFF'S FIRST REQUEST  
FOR PRODUCTION OF DOCUMENTS**

ABRAHAM T. MORRISON,

Defendant.

X-----X

1. Defendant objects to such demand as it is vague and overly broad.
2. Defendant objects to such demand as it is vague and overly broad.
3. Defendant objects to such demand as it is vague and overly broad. Without waiving such objection, defendant is not in possession of any documents.
4. Defendant objects to such demand as it is vague and overly broad.
5. Defendant objects to such demand as it is vague and overly broad. Without waiving such objection, defendant is not in possession of any documents.
6. Defendant is not in possession of any document at this time.
7. Defendant is not in possession of any document at this time.
8. Defendant is not in possession of any document at this time.
9. Defendant objects to such demand as it is neither necessary nor material to the prosecution or defense of this action.
10. Defendant is not in possession of such document at this time.
11. Defendant objects to such demand as it is neither necessary nor material to the prosecution or defense of this action.

12. Defendant objects to such demand as it is neither necessary nor material to the prosecution or defense of this action.

13. Defendant objects to such demand as it is neither necessary nor material to the prosecution or defense of this action.

14. Defendant objects to such demand as it is neither necessary nor material to the prosecution or defense of this action.

Defendant reserves the right to amend said Response to Plaintiff's First Request for Production of Documents at a later time.

Dated: August 22, 2008  
Forest Hills, NY

PAUL E. KERSON  
Leavitt, Kerson & Duane  
Attorneys for Defendant  
118-35 Queens Blvd., Suite 1205  
Forest Hills, NY 11375  
(718) 793-8822

To: Carmine J. Castellano, Esq.  
Bainton McCarthy LLC  
Attorneys for Plaintiff  
26 Broadway, Suite 2400  
New York, NY 10004-1840  
(212) 480-3500

STATE OF NEW YORK, COUNTY OF QUEENS

ss.:

STACEY SHOWALTER, being duly sworn says: I am not a party to the action, am over 18 years of age and reside at Queens County.

On August 22, 2008, I served a true copy of the annexed DEFENDANT'S RESPONSE TO PLAINTIFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS in the following manner:

- ☐ **Service By Mail** By mailing the same in a sealed envelope, with postage prepaid thereon, in a post-office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee(s) as indicated below:
- ☐ **Personal Service on Individual** By delivering the same personally to the persons and at the addresses indicated below:
- ☐ **Service by Electronic Means** By transmitting the same to the attorney by electronic means to the telephone number or other station or other limitation designated by the attorney for that purpose. In doing so I received a signal from the equipment of the attorney indicating that the transmission was received, and mailed a copy of same to that attorney, in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee(s) as indicated below:
- ☐ **Overnight Delivery Service** By depositing the same with an overnight delivery service in a wrapper properly addressed. Said delivery was made prior to the latest time designated by the overnight delivery service for overnight delivery. The address and delivery service are indicated below:

Carmine J. Castellano, Esq.  
Bainton McCarthy LLC  
Attorneys for Plaintiff  
26 Broadway, Suite 2400  
New York, NY 10004-1840

Sworn to before me on August 22, 2008

s/Paul E. Kerson  
Notary Public

s/Stacey Showalter  
STACEY SHOWALTER

Case No. 08-CV-0566 (DLC)(GWG)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

GILEAD SCIENCES, INC.,

Plaintiff,

-against-

ABRAHAM T. MORRISON,

Defendant.

**DEFENDANT'S RESPONSE TO PLAINTIFF'S FIRST  
REQUEST FOR PRODUCTION OF DOCUMENTS**

**LEAVITT, KERSON & DUANE**

Attorneys for Defendant  
118-35 Queens Boulevard  
Suite 1205  
Forest Hills, New York 11375  
(718) 793-8822  
Fax (718) 261-5013

*Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the courts of New York State, certified that, upon information and belief and reasonable inquiry, the contentions contained in the annexed document are not frivolous.*

Dated: .....

Signature:.....

Print Signer's Name \_\_\_\_\_

*Service of a copy of the within*

*is hereby admitted.*

Dated:

.....

Attorney(s) for

**LEAVITT, KERSON & DUANE**  
Attorneys for Defendant  
118-35 Queens Blvd., #1205  
Forest Hills, NY 11375  
(718) 793-8822

